

DOCKET NO.: ISIS-2960



GAU/1634  
PATENT  
B. Marschel  
9/4/99

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Lex M. Cowser et al.

Serial No.: 09/067,638

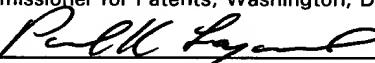
Group Art Unit: 1634

Filing Date: April 28, 1998

Examiner: A. Marschel

For: IDENTIFICATION OF GENETIC TARGETS FOR MODULATION BY  
OLIGONUCLEOTIDES AND GENERATION OF OLIGONUCLEOTIDES  
FOR GENE MODULATION

Date of deposit: August 27, 1999  
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Typed Name: Paul K. Legaard  
Registration No.: 38,534

Assistant Commissioner for Patents  
Washington DC 20231

Dear Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, no additional fee is required.

- In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with  the first or  second After Final Submission, therefore:
  - Certification in Accordance with §1.97(e) is attached; or
  - The fee of \$240.00 as set forth in §1.17(p) is attached.
- In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, therefore:
  - Certification in Accordance with §1.97(e) is attached; or
  - The fee of \$240.00 as set forth in §1.17(p) is attached.
- In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee, therefore included are: Certification in Accordance with §1.97(e); Petition Requesting Consideration of the Information Disclosure Statement; and the fee of \$130.00 as set forth in §1.17(i)(1).
- Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.
- Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:
  - In view of the voluminous nature of reference [list as appropriate], and the likelihood that this reference is available to the Examiner, a copy is not enclosed herewith.

- In accordance with §1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. §120 have been made in the instant application:
- Copies of references [list as appropriate] listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior application Serial No. , filed .
- If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.  
This form is submitted in duplicate.

Attached is a copy of the PCT International Search Report dated August 16, 1999, which indicates the documents considered to be relevant and, where appropriate, the relevant passages and claim numbers.

Date: *August 27, 1999*

  
\_\_\_\_\_  
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**In Re Application of:****Lex M. Cowser et al.****Serial No.: 09/067,638****Group Art Unit: 1634****Filing Date: April 28, 1998****Examiner: A. Marschel****For: IDENTIFICATION OF GENETIC TARGETS FOR MODULATION BY  
OLIGONUCLEOTIDES AND GENERATION OF OLIGONUCLEOTIDES  
FOR GENE MODULATION**DATE OF DEPOSIT: August 27, 1999

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TYPED NAME: Paul K. Leghard  
REGISTRATION NO.: 38,534

Assistant Commissioner for Patents  
Washington DC 20231

Dear Sir:

**CERTIFICATION UNDER 37 C.F.R. §1.97(e)**

In accordance with 37 C.F.R. §1.97(e), certification is hereby made that:

Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in connection with a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement.

Date: *August 27, 1999*

  
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